Civil Misc. Writ Petition No. 506(M/B) of 2001

Har Singh Bisht ..... Petitioner

Versus

The State of Uttaranchal
and another ..... Respondents

.....

Hon.A.A.Desai,C.J.
Hon.M.C.Jain,J.

Heard Sri V.K.Bist, learned counsel for the petitioner.

Undisputedly, the lease granted in favour of the petitioner dated 14.6.2000 by the State of Uttar Pradesh was cancelled on 13.3.2001. Undisputedly further, no opportunity of being heard was granted in favour of the petitioner. In view of this the impugned order of cancellation can not be sustained.

After hearing learned counsel for the parties and taking their consensus, we quash and set aside the impugned order. However, the authorities are at liberty to take decision afresh after graning necessary opportunity to the petitioner. Incase the authorities resort to cancellation of lease, they shall give well reasoned order. After hearing Mr. S.Dhulia, learned C.S.C. we record that the authorities shall take decision as indicated above in the matter of lease within a period of six weeks.

The petition is disposed of accordingly.

(A.A.Desai,C.J.) **(M.C.Jain,J.)**

Dt. 3.8.2001
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